



**MEMORANDUM**  
EUGENE WATER & ELECTRIC BOARD

*Rely on us.*

TO: Commissioners Carlson, Barofsky, McRae, Schlossberg and Brown  
FROM: Kira Hutchens, Human Resources Manager  
DATE: January 2, 2024 (January 9, 2023, Board Meeting)  
SUBJECT: Performance Evaluation Process for General Manager, Frank Lawson

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**Issue**

During September's Board Meeting, the Board reviewed the GM evaluation process to determine if changes were desired for next year. The general process was refined and is outlined below, including the responsibility of the Board, if desired, to establish evaluation criteria beyond the annual organizational goals and those already existing in policy. Consistent with past practice, the Board supported the routine communications in January documenting any adjustment to the MAPT (non-represented) compensation salary structure, upon which GM Lawson's annual salary escalator is based (stated below).

**Background**

In addition to applicable federal and state law, evaluating the performance of EWEB's General Manager is guided by the combination of Board Policies and General Manager Employment Agreement (Agreement), last amended December 11, 2019.

By present Board Policy and Agreement, EWEB's Board of Commissioners shall conduct an annual General Manager's performance review in April of each year to coincide with the reporting of the organization's results for the previous calendar year. The General Manager's performance shall be evaluated by comparing the organization's operating results and General Manager's individual performance objectives to the policies, direction and goals established by the Board.

**Inadequate Performance**

By Board Policy BL-1, the Board may work directly with the Chief Human Resources Officer (or successor position/title) on annual performance reviews, discipline, and/or termination. The Board may also work directly with the Chief Financial Officer (or successor position/title) on the annual audit if the Chief Financial Officer reasonably believes that the General Manager is not taking appropriate steps to manage EWEB's financial matters, and any material financial or other matter where the Chief Financial Officer reasonably believes that the actions or decisions of the General Manager are inconsistent with EWEB's long-term financial or business interests. If the EWEB staff listed above determines that it is necessary to bypass the General Manager, they will initiate contact with the Board President, who shall then determine the proper and necessary next steps, if any.

**Performance Impact on Compensation**

By present Agreement, the General Manager's annual performance review is not used to keep the General Manager's salary competitive, as the "General Manager's salary will be kept competitive with the public utility industry and comparative northwest power and water utilities with similar revenue and customer classes through an annual automatic adjustment in January using the

Consumer Price Index (CPI) escalator applied to non-represented EWEB employees, but is limited to a minimum of 2% (two percent) escalation and a maximum of 4% (four percent) escalation.” However, the Board has discretion to approve or not approve a Recognition (Merit) Award, either as an increase to base salary or lump sum payment, based upon the General Manager's prior calendar year's performance. The 2024 MAPT salary structure adjustment was 4%, increasing GM Lawson's annual salary to \$385,014.

### **Discussion**

Within the established present requirements of Board Policy and the Agreement, the General Manager's prior year's performance was determined to be evaluated as follows.

1. At the outset of the year, the General Manager and Board will establish the organizational goals for the year, in accordance with Board Policy BL5, Evaluating the General Manager's Performance. The Board may wish to establish specific personal performance criteria based on the duties, knowledge, skills, and/or abilities identified in the General Manager's Position Description (attached).
2. In February, the Chief Human Resources Officer (or successor position/title) will conduct a survey of the General Manager's direct reports, and potentially other involved stakeholders, pertaining to the General Manager's performance during the previous year. The survey may vary from year to year and General Manager to General Manager, depending on areas of interest, identified at the years outset, from the Board and/or General Manager. The results of the survey will be aggregated and presented to the General Manager for inclusion in a self-assessment.
3. At the March board meeting, the General Manager will present the “State of the Utility” to the Board and public including, but not limited to, a summary of noteworthy operational activities and results, and the status of the organizational goals for the prior year.
4. For the April board meeting, the General Manager will provide the Board with a self-assessment including, but not limited to, feedback on the organization's operational activities and results, status of the organizational goals for the prior year, any personal performance metrics adopted each year to determine the degree to which Board policies, direction and goals are being met, and the aggregated results of the survey of the General Manager's direct reports. According to ORS 190-660(2)(i), the EWEB Commissioners may hold an executive session to “review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.” Deliberation on potential compensation and/or financial awards must be held in a public meeting.
5. During the public April board meeting, Commissioners will summarize their performance review of the General Manager and deliberate on whether to approve or not approve a merit award, either as an increase to base salary or lump sum payment, based upon the General Manager's prior calendar year's performance. Additionally, the Board shall deliberate on any changes or alterations to the present year's performance criteria based on the performance evaluation process.

### **Recommendation**

Commissioners are encouraged to consider the process as highlighted in this memorandum and provide comments and guidance.

### **Board Action**

In accordance with Board Policy BL5, it is requested that the Board engage in public deliberation of 2024 goal and performance evaluation criteria for the General Manager beyond the annual organizational goals and those already defined in policy. In as much as the decision pertaining to evaluation criteria is entirely at the Board's discretion, there is no associated recommendation.

**Attachment(s)**

- A. Board Policy BL5, Evaluating the General Manager's Performance
- B. General Manager Position Description (February 1, 2016)



Board – Staff Policies (BL Policies)

**BL5**                                      **Evaluating the General Manager’s Performance**  
**Effective Date**                      **May 7, 2019**

The General Manager's job performance shall be evaluated by comparing the organization’s operating results and the General Manager’s individual performance to the policies, direction and goals established by the Board.

Accordingly:

- The Board has responsibility for establishing its priorities for the coming year and providing that direction to the General Manager. The General Manager shall draft new goals that contain relative success measures. Draft goals are for each year and represent the General Manager’s reasonable interpretation of achieving the priorities defined by the Board.
- The Board will use performance metrics adopted each year to determine the degree to which Board policies, direction and goals are being met.
- The Board shall evaluate the General Manager’s performance on an annual basis.
- The General Manager’s interim performance shall be monitored at a frequency and by a method chosen by the Board. Unless otherwise established by Board direction, the General Manager shall report quarterly results and annual results within a reasonable time after the close of each calendar quarter and year.

**Source:** Compensation Committee and Jean Meyers, Human Resources Manager, Developed 09/20/06; Revised 03/20/07; Board Approved 09/18/07; Revised 01/06/15, Resolution No. 1503; Revised 05/07/19, Resolution No. 1911.



EUGENE WATER & ELECTRIC BOARD  
JOB DESCRIPTION



**Position Title:** General Manager

**Working Title:**

**Origination Date:**

**Revision Date:** 2/1/2016

**FLSA Status:** Exempt

**Union Representation:** N/A

**Last Revised by:** Laurie Muggy

**Summary Statement:** The General Manager reports to an elected five (5) member Board of Commissioners and is responsible for carrying out executive responsibilities to ensure the effective, overall management and operation of a customer-owned water and electric utility. The General Manager provides leadership in the development and implementation of strategic plans to ensure the utility continues to be proactive and responsive to its customers, employees, and the general public and conducts utility business in accordance with legal and regulatory requirements, sound financial management practices, contract terms, policies and objectives established by the Board of Commissioners. The General Manager acts as chief executive officer and is an "at-will" employee.

**Note:** This description is intended to represent key areas of responsibility. It is not meant to be all inclusive and does not prescribe or restrict the work that may be assigned. Nothing in this description restricts EWEB's right to assign or reassign duties and responsibilities to this job at any time. Job descriptions may occasionally be updated, as necessary, to reflect evolving business needs.

**Essential Duties and Tasks Performed**

**EXAMPLES OF DUTIES** - Duties may include, but are not limited to the following:

Provide the leadership and management necessary to direct the utility to meet the mission, goals, objectives, policies, and budgets established by the Board of Commissioners and in accordance with pertinent laws and regulations. Provide leadership that encourages and holds staff accountable to carry out the duties required to enable the utility's mission.

Create a compelling vision and mission to ensure long-term success and positive organizational progress and change; Develop and recommend short- and long-range plans and goals and associated budgets to ensure adequate power and water supplies, reliable service delivery, sufficient physical plants, reliable infrastructure, efficient operational methods, and sound fiscal, business and process management.

Provide recommendations to the Board regarding rates and policies to ensure revenues and available financial resources sufficient to meet EWEBs cost of operation, required expansion or improvements, and other expenditures at the most reasonable cost. Ensure the Board is sufficiently informed in a timely fashion of any emerging or unanticipated economic conditions potentially affecting EWEB financials.

Maintain consistent and on-going communication with the Board. Ensure the Board is fully appraised of trends, regulatory changes, developing legislation and leading opinions regarding the utility industry. Lead management and workforce to position EWEB to respond as changing industry conditions and energy markets dictate. Ensure the Board is sufficiently advised of any material shifts in the focus or management of significant or strategic EWEB operations or programs.

Overarching responsibility for the management and continued development of the utility's workforce including the negotiation and administration of labor agreements and employment policies, implementation and administration of new employment practices and programs. Guide and authorize appropriate compensation, benefits and employment programs to ensure the Utility's continued ability to attract and retain a skilled workforce.

Work directly with the EWEB leadership to delegate duties, plan for the future of the utility, and to devise and execute strategic objectives and utility programs. Translate Board direction to utility leadership through clear and meaningful

objectives and performance measures. Establishes and utilizes a leadership and workforce reporting structure to enable operational effectiveness, efficiencies and accountability for results. Carry out supervisory responsibilities over direct reports in accordance with the organization's policies and applicable laws. Ensure key staff development and establish succession contingencies through training as necessary or appropriate.

Represent EWEB in communities served by the utility. Ensure effective communication with EWEB customers, employees, and the general public. Represent and promote the needs and objectives of EWEB. Work with officials at the local, county, state, and federal level as well as other utilities and industry organizations to represent and promote the needs and objectives of EWEB.

Demonstrate support for the Board and its direction. Resolve conflicts between different constituents following review of their positions and interests. Act as a steward for EWEB's volunteer and community service efforts and lead by example.

Other related duties as assigned.

### **Knowledge, Skills, and Abilities Required To Perform Tasks**

#### **Knowledge of:**

Requires extensive knowledge of the electric and water industry and a thorough understanding of all business units within the utility.

Management principles with ability to delegate authority and responsibility to subordinates, to make use of appropriate controls and feedback to measure results, and to maintain accountability for delegated authority.

State, county, and local government laws, regulations, future planning, and the political climate affecting EWEB.

Public relations principles.

Rules and practices for operating under a Board of Commissioners.

Regional power and water supply issues and current industry trends.

Principles, practices, laws, ordinances, techniques, methods, and terminology related to executive management and the utility industry.

Revenue and budget models and forecast, profit/loss, and cost-to-completion projections, profitability, margins, bill rates and utilization, especially for public utilities.

Techniques for facilitating group processes including meetings and electronic collaboration.

Principles and practices of strategic planning, risk and change management, as applicable in the Utility industry.

Leadership skills including effective communication, mobilization of change, establishing vision and direction.

Principles, methods, or tools for developing, scheduling, coordinating, and managing projects and resources.

#### **Skills in:**

Establishing company-wide goals and expectations directly or through managers.

Recognizing issues that impact utilities, including economic, social, and environmental.

Maintaining general executive oversight and control of utility operations

Presenting complex or controversial issues to the Board and public in an articulate, clear, and persuasive manner both verbally and in writing.

Strategic planning

Applying project management principles and professional standards.

Developing and implementing programs. Administering and developing budgets and tracking budget expenses.

Decision-making, influencing, leading, delegation and team work.

Using a personal computer and software typical to project management including spreadsheets, word processing and other presentation software.

**Ability to:**

Manage and lead in an effective manner.

Empower employees to accomplish goals.

Effectively manage, prioritize and balance competing and conflicting goals and objectives.

Manage multiple, concurrent, large, and complex projects.

Understand, follow, and communicate verbal and written instructions, laws, and regulations.

Make sound decisions regarding the administration of policy and regulations.

Apply critical strategic thinking to organization initiatives to leverage resources to provide efficient and effective utility operations.

Analyze complex issues; identify alternative solutions, project consequences and develop and implement corrective action to resolve problems.

Develop and maintain effective working relationships with employees, the public, the Board, the media, and all levels of management.

Mitigate and manage controversy. Ability to resolve differences amongst divergent groups and cultures, bring people together, and facilitate consensus.

Learn all functions and responsibilities of the EWEB's departments.

Demonstrate cultural competency through respectful, inclusive work habits and through the valuing and welcoming of cultural differences in all position responsibilities.

Work individually and in a team environment; ability to multi-task, work under pressure, and manage change and stressful situations effectively.

Demonstrate to EWEB's satisfaction EWEB's performance competencies.

**SUPERVISION AND/OR FUNCTIONAL OR TECHNICAL OVERSIGHT**

**Supervision or Functional or Technical Oversight Exercised:** Manages up to twelve Leadership Team members and exercises executive oversight over their respective areas and staff. Responsible for the overall direction, coordination,

and evaluation of these business units. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws.

**Type and frequency of personal contact required (general public, customers, organizations, and EWEB employees):** Daily personal and telephone contact with EWEB personnel and the general public, agency and elected officials, consultants, executives, and news media representatives, among others.

#### **Requirements As A Qualification & Progression**

**Minimum Experience:** Five years' experience as chief/executive director of a public agency, private corporation, or major division of a utility or ten years of utility experience with five years at a senior management level.

**Education:** Bachelor's degree from an accredited college or university in Engineering, Public Policy, Business Administration, or combined education, training, and experience deemed by the Board to be appropriate.

**Desirable education, experience, training and certifications:** Advanced degree in a relevant area. Experience within a multiple utility. Familiarity with Northwest power, water, and environmental issues, regulations, and challenges. Experience working with Boards; Knowledge and experience in labor relations and collective bargaining

**Equivalency:** An equivalent combination of experience and training that demonstrates the required knowledge, skills, and abilities may be qualifying.

**Valid driver license:** Yes .

**Professional license or registration:** None

**Post-offer background check required:** Yes

**Post-offer drug test required:** No

**Post-offer physical / functional test required:** No

**Apprenticeship or other education/training required as a condition of employment, progression or advancement:** None

(AN EQUAL OPPORTUNITY EMPLOYER)